

REMARKS

Claim 1 has been canceled.

Claims 2-5 remain pending in the application. Of these, claim 2 is currently amended.

Claims 2-5 are rejected under the doctrine of obviousness-type double patenting over claims 1-18 of U.S. Patent No. 6,736,852 (the '852 Patent). Applicant respectfully traverses this rejection. The focus of an obviousness-type double patenting rejection as provided in MPEP §804(II)(B)(1) is whether any claim in the application defines an obvious variation of an invention claimed in the patent. The claims of the '852 Patent define an assembly in which a plurality of spaced-apart pivot surfaces move in concert with a mount upon a pivot pin and in which a first washer is coupled to the pivot pin between two of the pivot surfaces and a second washer is coupled to the pivot pin above the first washer. The claims do not teach or suggest relative movement between the first washer and the mount and/or relative movement between the first and second washers. The cited reference does not teach or suggest an assembly in which (i) a first member permits relative movement between the first member and a mount, (ii) a second member is stacked sequentially above the first member and permits relative movement between the second and first members, (iii) a third member is stacked sequentially above the second member and permits relative movement between the third and second members, where (iv) the first and third members move in concert, and where (v) the second member does not move in concert with the first or third members, as defined by the amended claim 2 and associated dependent claims 3-5. As the claimed subject matter is not obvious in view of the claims of the '852 Patent, Applicant requests that this rejection be withdrawn.

Claims 2-5 are rejected under 35 U.S.C. §102(e) based on Alby U.S. 6,241,730. Alby '730 discloses a first member 12 (adjacent washer 9) carried by a mount 8, a second member 11 stacked above the first member, and a third member 12 (adjacent recess 8b) stacked above the second member. The Examiner acknowledges that the first and third members are adapted to move in concert with the mount relative to the support. That is, the arrangement of the device of Alby '730 does not permit relative movement between the first member and the mount, as defined by claim 2. Claims 3-5 further define the features of claim 2 and are therefore also believed to be

allowable over the cited reference. As the claimed subject matter is not anticipated by the cited reference, Applicant requests that this rejection be withdrawn.

Claim 2 is rejected under 35 U.S.C. §102(e) based on Harris U.S. 6,248,132 (Harris '132). Harris '132 discloses a first member 104 carried by a mount 92, a second member 100 stacked above the first member, and a third member 90 stacked above the second member. Harris '132 does not teach or suggest movement in concert between the first member and third members, as defined by claim 2. As the claimed subject matter is not anticipated by the cited reference, Applicant requests that this rejection be withdrawn.

Claim 2 is rejected under 35 U.S.C. §102(e) based on Stone et al. U.S. 6,387,130 (Stone '130). Stone '130 discloses a first member 20C carried by a mount 20B, a second member 20D stacked above the first member, and a third member 20E stacked above the second member. Stone '130 does not teach or suggest movement in concert between the first member and third members, as defined by claim 2. In addition, the enlarged end/knot 31 in the device of Stone '130 functions as a support or rest for member 20A at the distal end of member 30 (see col. 3, lines 61-65). That is, the enlarged end 31 does not function in a first mode to compress the first, second, and third members to create multiple concurrent frictional forces, and a second mode to relieve the multiple concurrent frictional forces, as also defined by claim 2. As the claimed subject matter is not anticipated by the cited reference, Applicant requests that this rejection be withdrawn.

Claim 2 is rejected under 35 U.S.C. §102(e) based on Keynan U.S. 6,755,862 (Keynan '862). Keynan '862 discloses a first member (distal telescopic member 250) carried by a mount (250 adjacent 260), a second member (telescopic member 250 distal first member) stacked above the first member, and a third member (telescopic member 250 distal second member) stacked above the second member. Keynan '862 does not teach or suggest movement in concert between the first member and third members and a second member that does not move in concert with the first and third members, as defined by claim 2. As the claimed subject matter is not anticipated by the cited reference, Applicant requests that this rejection be withdrawn.

The cited references do not teach or suggest, alone or in combination, as defined by claims 2-5, an assembly in which (i) a first member is carried by a mount and permits relative movement between the first member and the mount, (ii) a second member is stacked sequentially above the first member and permits relative movement between the second and first members, (iii) a third

member is stacked sequentially above the second member and permits relative movement between the third and second members, (iv) the first and second members are sized and configured for movement in concert, (v) the second member does not move in concert with the first and third members, and (vi) a locking mechanism operates in a first mode to compress the first, second, and third members to create multiple concurrent frictional forces and in a second mode to relieve the multiple concurrent frictional forces. As the claimed subject matter is neither anticipated by or obvious in view of the cited references, Applicant requests the rejections be withdrawn. Reconsideration in view of the foregoing amendments and remarks and allowance of claims 2-5 is respectfully requested.

Respectfully Submitted,

By


Daniel D. Ryan

Registration No. 29,243

RYAN KROMHOLZ & MANION, S.C.

Post Office Box 26618

Milwaukee, Wisconsin 53226

(262) 783 - 1300

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Customer No.: 26308

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